



General Assembly

January Session, 2007

Substitute Bill No. 1101

* SB01101INS__031507__ *

AN ACT CONCERNING MOTOR VEHICLE REPAIRS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 38a-354 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2007*):

3 (a) No automobile physical damage appraiser shall require that
4 appraisals or repairs should or should not be made in a specified
5 facility or repair shop or shops. Such appraiser shall include with the
6 appraisal the following notice, printed in not less than ten-point
7 boldface type:

8 NOTICE

9 YOU HAVE THE RIGHT TO CHOOSE THE LICENSED REPAIR
10 SHOP WHERE THE DAMAGE TO YOUR MOTOR VEHICLE WILL
11 BE REPAIRED.

12 (b) No insurance company doing business in this state, or agent or
13 adjuster for such company shall require any insured to use a specific
14 person for the provision of automobile physical damage repairs,
15 automobile glass replacement, glass repair service or glass products
16 unless otherwise agreed to in writing by the insured.

17 (c) Except as provided in a consumer's automobile liability

18 insurance policy, no insurance company doing business in this state, or
19 agent or adjuster for such company shall (1) reduce the amount of
20 deductible or premium or offer additional warranties if the consumer
21 chooses a preferred repair facility, or (2) suggest that choosing a
22 facility other than a preferred repair facility will result in delays in
23 repairing the motor vehicle, a lack of guaranty for repair work or
24 additional costs to the insured.

25 Sec. 2. (NEW) (*Effective October 1, 2007*) (a) No insurer which issues
26 in this state automobile liability insurance policies, as defined in
27 section 38a-341 of the general statutes, shall be liable for supplemental
28 charges assessed by a motor vehicle repair shop, as defined in section
29 14-65e of the general statutes, unless the insurer or the insurer's
30 representative is given reasonable notice by such repair shop of the
31 need for supplemental repairs and a period not to exceed seventy-two
32 business hours after receipt of notice to inspect the motor vehicle prior
33 to the commencement of such repairs. For purposes of this subsection,
34 "supplemental charges" means (1) charges for additional parts or labor
35 found to be necessary by such repair shop during the course of repair
36 work where the charges are not included in the initial estimate of the
37 parts and labor necessary to complete the repair, or (2) any deviation
38 by such repair shop from any initial authorization for parts or labor as
39 prepared by the insurer or the insurer's representative that is legally
40 liable for compensating an insured for damage to the vehicle.

41 (b) Such insurer or the insurer's representative may waive the right
42 to inspect a motor vehicle under the provisions of this section.

43 Sec. 3. Section 14-64 of the general statutes is repealed and the
44 following is substituted in lieu thereof (*Effective October 1, 2007*):

45 The commissioner may suspend or revoke the license or licenses of
46 any licensee or impose a civil penalty of not more than one thousand
47 dollars for each violation on any licensee or both, when, after notice
48 and hearing, the commissioner finds that the licensee (1) has violated
49 any provision of any statute or regulation of any state or any federal

50 statute or regulation pertaining to its business as a licensee or has
51 failed to comply with the terms of a final decision and order of any
52 state department or federal agency concerning any such provision; or
53 (2) has failed to maintain such records of transactions concerning the
54 purchase, sale or repair of motor vehicles or major component parts, as
55 required by such regulations as shall be adopted by the commissioner,
56 for a period of two years after such purchase, sale or repairs, provided
57 the records shall include the vehicle identification number and the
58 name and address of the person from whom each vehicle or part was
59 purchased and to whom each vehicle or part was sold, if a sale
60 occurred; or (3) has failed to allow inspection of such records by the
61 commissioner or the commissioner's representative during normal
62 business hours, provided written notice stating the purpose of the
63 inspection is furnished to the licensee, or has failed to allow inspection
64 of such records by any representative of the Division of State Police
65 within the Department of Public Safety or any organized local police
66 department, which inspection may include examination of the
67 premises to determine the accuracy of such records; or (4) has made a
68 false statement as to the condition, prior ownership or prior use of any
69 motor vehicle sold, exchanged, transferred, offered for sale or repaired
70 if the licensee knew or should have known that such statement was
71 false; or (5) is not qualified to conduct the licensed business, applying
72 the standards of section 14-51 and the applicable regulations; or (6) has
73 violated any provision of sections 42-221 to 42-226, inclusive; or (7) has
74 failed to fully execute or provide the buyer with (A) an order as
75 described in section 14-62, (B) the properly assigned certificate of title,
76 or (C) a temporary transfer or new issue of registration; or (8) has
77 failed to deliver a motor vehicle free and clear of all liens, unless
78 written notification is given to the buyer stating such motor vehicle
79 shall be purchased subject to a lien; or (9) has violated any provision of
80 sections 14-65f to 14-65j, inclusive, or section 2 of this act; or (10) has
81 used registration number plates issued by the commissioner, in
82 violation of the provisions and standards set forth in sections 14-59
83 and 14-60 and the applicable regulations; or (11) has failed to secure or
84 to account for or surrender to the commissioner on demand official

85 registration plates or any other official materials in its custody. In
86 addition to, or in lieu of, the imposition of any other penalties
87 authorized by this section, the commissioner may order any such
88 licensee to make restitution to any aggrieved customer.

89 Sec. 4. Section 14-65i of the general statutes is repealed and the
90 following is substituted in lieu thereof (*Effective October 1, 2007*):

91 (a) Each motor vehicle repair shop shall prominently display a sign
92 [24] twenty-four inches by [36] thirty-six inches in each area of its
93 premises where work orders are placed by customers. The sign, which
94 shall be in boldface type, shall read as follows:

95 THIS ESTABLISHMENT IS LICENSED WITH THE

96
97 STATE DEPARTMENT OF MOTOR VEHICLES.

98
99 EACH CUSTOMER IS ENTITLED TO...

100

101

102

103 1. A WRITTEN ESTIMATE FOR REPAIR WORK.

104

105 2. A DETAILED INVOICE OF WORK DONE AND PARTS SUPPLIED.

106

107 3. RETURN OF REPLACED PARTS, PROVIDED THE REQUEST IS

108 MADE AT THE TIME WRITTEN OR ORAL AUTHORIZATION IS

109 PROVIDED FOR WORK TO BE PERFORMED.

110

111

112

113 NO REPAIR WORK MAY BE UNDERTAKEN ON A VEHICLE

114 WITHOUT THE AUTHORIZATION OF THE CUSTOMER.

115

116 NO CHARGES FOR REPAIR MAY BE MADE IN EXCESS OF THE
117 WRITTEN ESTIMATE WITHOUT THE WRITTEN OR ORAL
118 CONSENT OF THE CUSTOMER.

119

120

121

122 QUESTIONS CONCERNING THE ABOVE SHOULD BE DIRECTED
123 TO THE MANAGER OF THIS REPAIR FACILITY.

124

125 UNRESOLVED QUESTIONS REGARDING SERVICE WORK MAY BE
126 SUBMITTED TO:

127

128

129

130 DEPARTMENT OF MOTOR VEHICLES

131

132 DEALER REPAIR DIVISION

133

134 60 STATE STREET, WETHERSFIELD, CONNECTICUT

135

136 TELEPHONE:

137

138 HOURS OF OPERATION:

139

140 (b) Each motor vehicle repair shop shall post a sign, as required by
141 this subsection, in each area of its premises where work orders are
142 placed by customers. The sign shall state: (1) The hourly charge for
143 labor; (2) the conditions, if any, under which the shop may impose

144 charges for storage, and the amount of any such charges; and (3) the
145 charge, if any, for a diagnosis.

146 (c) Each motor vehicle repair shop shall prominently display a sign
147 in each area of its premises where work orders are placed by
148 customers. The sign, which shall be in boldface type, shall read as
149 follows:

150 THE CUSTOMER HAS THE RIGHT TO CHOOSE THE LICENSED
151 REPAIR SHOP WHERE THE DAMAGE TO HIS OR HER MOTOR
152 VEHICLE WILL BE REPAIRED.

153 ~~[(c)]~~ (d) The Commissioner of Motor Vehicles shall determine the
154 size, type face and form of the signs required by this section.

155 Sec. 5. Section 38a-364 of the general statutes is repealed and the
156 following is substituted in lieu thereof (*Effective October 1, 2007*):

157 (a) For the purposes of sections 14-12b and 14-12c, subsection (a) of
158 section 14-13, sections 14-213b and 14-217 and this section, "private
159 passenger motor vehicle" shall have the same meaning as in subsection
160 (e) of section 38a-363.

161 (b) Each insurance company which issues private passenger motor
162 vehicle liability insurance providing the security required by sections
163 38a-19 and 38a-363 to 38a-388, inclusive, shall issue annually to each
164 such insured an automobile insurance identification card, in duplicate,
165 for each insured vehicle, one of which shall be presented to the
166 commissioner as provided in section 14-12b and the other carried in
167 the vehicle as provided in section 14-12f. Except as provided in
168 subsection (c), such card shall be effective for a period of one year and
169 shall include the name of the insured and insurer, the policy number,
170 the effective date of coverage, the year, make or model and vehicle
171 identification number of the insured vehicle and an appropriate space
172 wherein the insured may set forth the year, make or model and vehicle
173 identification number of any private passenger motor vehicle that
174 becomes covered as a result of a change in the covered vehicle during

175 the effective period of the identification card. When an insured has five
 176 or more private passenger motor vehicles registered in this state, the
 177 insurer may use the designation "all owned vehicles" on each card in
 178 lieu of a specific vehicle description. Each such insurance company
 179 that delivers, issues for delivery or renews such private passenger
 180 motor vehicle liability insurance in this state on or after October 1,
 181 2007, shall include on such card, the following notice, printed in capital
 182 letters and boldface type:

183 NOTICE

184 YOU HAVE THE RIGHT TO CHOOSE THE LICENSED REPAIR
 185 SHOP WHERE THE DAMAGE TO YOUR MOTOR VEHICLE WILL
 186 BE REPAIRED.

187 (c) Whenever a binder for such insurance is issued by an agent, the
 188 agent shall also issue a temporary identification card, in duplicate, for
 189 each covered vehicle effective for a period of sixty days from the date
 190 on which the binder becomes effective. Such temporary cards shall
 191 include the name of the insured and insurer, the printed name and
 192 signature of the agent or authorized representative, the effective date
 193 of the binder, the policy number or, if such number is not available, the
 194 agent's code number and the year, make or model and vehicle
 195 identification number of the insured vehicle.

196 (d) The provisions of this section shall apply only to private
 197 passenger motor vehicles registered in this state.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2007</i>	38a-354
Sec. 2	<i>October 1, 2007</i>	New section
Sec. 3	<i>October 1, 2007</i>	14-64
Sec. 4	<i>October 1, 2007</i>	14-65i
Sec. 5	<i>October 1, 2007</i>	38a-364

INS *Joint Favorable Subst.*